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\*E-FILED 4/27/05\*

5 Attorneys for REPUBLIC WESTERN INSURANCE COMPANY

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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 REPUBLIC WESTERN INSURANCE  
11 COMPANY,

Case No. C05 00385 RS

12 Plaintiff,

STIPULATION FOR DISMISSAL OF  
ENTIRE ACTION  
AND ORDER THEREON

13 v.

14 LEXINGTON INSURANCE COMPANY,

15 Defendant.  
16 \_\_\_\_\_ /

17 IT IS HEREBY STIPULATED by the parties hereto, Plaintiff REPUBLIC WESTERN  
18 INSURANCE through its counsel Blane A. Smith, Esq. of the law firm of Farmer, Murphy,  
Smith & Alliston and Defendant LEXINGTON INSURANCE COMPANY, through its  
19 counsel William Staples, Esq., that this action shall be dismissed, in its entirety, with  
20 prejudice.

21 IT IS FURTHER STIPULATED that Plaintiff and Defendant will each bear their own  
22 costs and fees from this action.

23 Dated:

FARMER, MURPHY, SMITH & ALLISTON

24  
25 By   
26 Blane A. Smith

27 Attorneys for Plaintiff  
28 REPUBLIC WESTERN INSURANCE

1 Dated: 4-22-05

2 By

3 William Staples  
4 Attorney for Defendant  
LEXINGTON INSURANCE COMPANY

5

6 O R D E R

7 Pursuant to the Stipulation,

8 IT IS HEREBY ORDERED that the entire action is hereby dismissed in its entirety  
9 with prejudice.

10 DATED: April 27, 2005

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12 /s/ Richard Seeborg

13 \_\_\_\_\_  
Richard Seeborg

14 Judge of the U.S. District Court

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